

## **FIRE MANAGEMENT ASSISTANCE GRANT PROGRAM**

**8562**

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The Federal Emergency Management Agency (FEMA) located within the Department of Homeland Security (DHS) is responsible for overseeing the Fire Management Assistance Grant Program. (Previously known as the Rural Community Fire Assistance Program.) Historically, CDF was not eligible for reimbursement under the Rural Community nor the Fire Management Assistance Grant Programs. In 2001, however, the program was modified and CDF became eligible as a sub-grantee.

The Robert T. Stafford Disaster Act is the federal legislation which gives states, local governments and Indian tribal entities the authority to seek reimbursement for extraordinary suppression costs from a wildfire.

### **Individual and Cumulative Thresholds**

On January 1 of each calendar year CDF Cooperative Fire Program along with Departmental Accounting Office starts to capture emergency fund expenditures FMAG eligibility for individual and cumulative thresholds begins on January 1 of each year. The individual and cumulative thresholds are funds expended on the suppression of wildfires starting from January 1<sup>st</sup> of each calendar year.

FEMA will approve the initial grant award to the state when it has been determined that the State's application has demonstrated either of the following:

- The total eligible costs for the declared fire meet or exceed the individual fire cost threshold; or
- Total costs of all declared and non-declared for which the state has assumed responsibility in a given calendar year meet the cumulative fire threshold.

### **Individual and Cumulative Threshold Methodology**

The individual fire cost threshold for a state is the greater of the following:

- \$100,000.00: or
- Five Percent x \$1.07 x the State population, adjusted annually for inflation using the Consumer Price Index.

The cumulative fire cost threshold for a state is the greater of the following:

- \$500,000.00: or
- Three times the five percent x \$1.07 x the State population, adjusted annually for inflation using the Consumer Price Index.

## **Fire Management Assistance Declaration Criteria**

Determination for declaration approval of a wildfire is determined by the FEMA Regional Director when a fire or fire complex threatens such destruction that it would constitute a major disaster.

### **Evaluation Criteria**

FEMA, in partnership with OES, will evaluate the threat posed by a fire or fire complex based on consideration of the following specific criteria:

- Threat to lives and improved property, including threats to critical facilities, infrastructure, and critical watershed areas.
- Availability of state and local firefighting resources
- High fire danger conditions, as indicated by nationally accepted indices such as the National Fire Danger Rating System.
- Potential major economic impact.

### **Submitting the Request for Assistance**

The Governor of the State or the GAR may submit a request for a fire management assistance declaration. The request **must** be submitted while the fire is burning uncontrolled and threatens such destruction that would constitute a major disaster. The document for submitting a request is the form referred to as the “ABC” form which is OES form F-158E, the Initial Request for Assistance Form. This form is available on the [OES website](#). Follow HB [8100p820](#). Once the request has been submitted to OES, then a conference call with OES Directors and staff from the Fire and Rescue Branch of OES along with the Incident Commander will review, comment and process the completed request. Once the request is completed, it then is forwarded to the FEMA Regional Director. The Regional Director will recommend and summarize all data to the Associate Director.

### **Eligibility**

Entities that are eligible for an approved fire management grant are:

- State agencies
- Local governments
- Indian tribal governments

Entities that are not eligible to apply are:

- Privately owned entities
- Volunteer firefighting organizations. Volunteer firefighting organizations may be reimbursed through a contract or compact with an eligible applicant.

Eligibility is contingent upon a finding that the incident commander or comparable state official requested the resources. The activities must be the legal responsibility of the applying entity and located within the designated area.

## **Eligible Costs**

All eligible work and costs must be associated with the incident period of a declared fire.

- Equipment and Supplies: Personal comfort and safety items normally provided by the State under field conditions for firefighter health and safety
- Firefighting supplies, tools, materials, expended or lost, to the extent not covered by reasonable insurance, will be replaced with comparable items.
- Operation and maintenance costs of publicly owned, contracted, rented or volunteer firefighting department equipment used in eligible firefighting activities to the extent any of these costs are not included in applicable equipment rates.
- Use of U.S. Government owned equipment based on reasonable costs as billed by the federal agency and paid by the state. Only direct costs for use of Federal Excess Personal Property (FEPP) vehicles and equipment on loan to state forestry and local cooperators may be eligible.
- Repair of equipment damaged in firefighting activities to the extent not covered by reasonable insurance. FEMA will use the lowest applicable equipment rates, or other rates to calculate the eligible cost of repair.
- Replacement of equipment lost or destroyed in firefighting activities, to the extent not covered by reasonable insurance, will be replaced with comparable equipment.

## **Labor Costs**

Eligible costs include:

- Overtime for permanent employees or reassigned state and local employees.
- Regular time and overtime for temporary and contract employees hired to perform fire related activities.

## **Travel and Per Diem**

Eligible costs include:

- Travel and per diem of employees who are providing services directly associated with eligible fire related activities.

## **Pre-positioning Costs**

The actual costs of pre-positioning federal, out-of-state (including compact), and international resources for a limited period may be eligible when those resources are used in response to a declared fire. The regional director must approve all pre-positioning costs. The state must document the number of pre-positioned resources to be funded and their respective locations throughout the state, estimate the cost of the pre-positioned resources that were used on the declared fire and the amount of time the resources were pre-positioned, and provide a detailed explanation of the need to fund the pre-positioned resources. The state will base the detailed explanation on recognized scientific indicators that include, but are not limited to, drought indices, short term weather forecasts, the current number of fires burning in the state, and the availability of in-state firefighting resources. The state may also include other quantitative indicators. Resources that are pre-positioned can be funded up to a maximum of 21 days before the fire declaration.

## **Temporary Repair of Damage Caused by Firefighting Operations**

Temporary repair of damage caused by eligible firefighting operations consists of short term actions to repair damage by bulldozer lines, incident bases and staging areas to address safety issues; as well as minimal repairs to facilities damaged by firefighting operations such as fences, buildings, bridges, roads, etc. All temporary repair work must be completed within thirty days of the close of the incident period for the declared fire.

## **Mobilization and Demobilization**

Costs for mobilization to and demobilization from, a declared fire may be eligible. Demobilization may be claimed at a delayed date if deployment involved one or more declared fires. If resources are being used on more than one declared fire, mobilization and demobilization costs must be claimed against the first declared fire.

## **Federal /State Lands**

Reasonable costs for the mitigation, management, and control of a declared fire burning on co-mingled federal and state lands may be eligible for reimbursement where the state has a responsibility for suppression activities under an agreement to perform such action on a non-reimbursable basis.

## Ineligible Costs

Costs not directly associated with the incident period are ineligible. Ineligible costs include the following.

- Costs incurred in the mitigation, management, and control of undeclared fires.
- Costs related to planning , pre-suppression (i.e., cutting fire breaks without the presence of an imminent threat ,training, road widening, and other similar activities), and recovery (i.e., land rehabilitation activities, such as seeding, planting, operations, and erosion control, or the salvage of timber and other materials, and restoration of facilities damaged by fire).
- Costs for the straight or regular time salaries and benefits of a subgrantee's permanently employed or reassigned personnel.
- Costs for mitigation, management, and control of a declared fire on co-mingled federal land when such costs are reimbursable to the state by a federal agency under another statute.
- Fires fought on federal land are generally the responsibility of the federal agency that owns or manages the land. Costs incurred while fighting fires on federally owned land are not eligible under the Fire Management Assistance Grant Program except as stated above under the federal/state lands paragraph.

## Application Process

Once approval has been granted to the subgrantee through formal notification from OES then the subgrantee has 30 days from the end of the incident period to submit the Request for Fire Management Assistance to the grantee (OES). (See [FEMA Form 90-133](#)) Cooperative Fire Program staff will complete this documentation.

CDF Cooperative Fire Program will make notification of a declared fire to the region administrative and operational programs, the incident commander, the incident finance section chief, The administrative CDF unit, Sacramento Headquarters staff within the Department's Accounting Office (DAO), and the Assistant Deputy Director of Fire Protection and the Contract County Program Chief if necessary.

Within this notification are deadlines for the FC-40 cost package, it includes the FEMA assigned FM number (Fire Management) the incident period, the eligible costs and the due date for the FC-40 cost package in to DAO.

FC-40 cost package will be in Sacramento DAO 4-1/2 months from the end of the incident period. This provides DAO 45 days to review and amend the cost package before the 6 month deadline due to OES. The grantee (OES) has 3 months to forward the grant package to FEMA.

In the event the wildland incident becomes a civil or a cost share issue, the CDF process will continue as policy dictates. CDF will work in partnership with the federal wildland agencies to expedite the process so that reimbursement is not delayed.

FEMA is aware of CDF's responsibility to civil and cost share issues so there may be a need to request an extension of up to 3 months. CDF must include a justification in its request for an extension.

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